

## ADLER &amp; ASSOCIATES

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WRITER'S DIRECT DIAL  
(713)-270-5391  
WRITER'S DIRECT FAX:  
(713)-270-5361  
E. MAIL: [badler1@houston.rr.com](mailto:badler1@houston.rr.com)INTELLECTUAL PROPERTY LAW  
(PATENT, BIOTECHNOLOGY, COMPUTER,  
TRADEMARK & TRADE SECRET LAW)

## FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Examiner N.L. Alonzo	Benjamin A. Adler, Ph.D., J.D.
COMPANY:	DATE:
US PTO, Art unit 1632	10/14/04
FAX NUMBER:	TOTAL NO. OF PAGES:
(703) 872-9306	3 (including cover)
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	D6534
RE:	YOUR REFERENCE NUMBER:
Response To Restriction Requirement	10/679,231

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

## Comments:

Please deliver the attached to Examiner Alonzo.

A Response to Action mailed September 23, 2004 for 10/679,231; (D6534; Holland et al.)

If you have any questions after reviewing these papers, please call me at  
PHONE: 713/270-5391, FAX: 713/270-5361. Thank you.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Holland

ART UNIT: 1632

FILED: October 03, 2003

EXAMINER:

SERIAL NO.: 10/679,231

Alonzo, N. L.

FOR: Transgenic Animal  
and Uses Thereof

CONFIRMATION NO.

3560

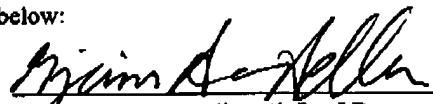
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence was transmitted via facsimile to N. L. Alonzo of the U.S. Patent Office at 703-872-9306 on the date indicated below:

Date:

Oct 14, 2004

Benjamin Aaron Adler, Ph.D., J.D.  
Registration No. 35,423

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Restriction Requirement mailed September 23, 2004 for the above-referenced application, Applicants hereby elect Group I, claims 1-4 and 18-20, drawn to a non-human transgenic animal expressing a reporter gene coding for a protein capable of producing light upon metabolizing a substrate wherein said reporter gene is operably linked to a promoter which is activated by cell cycling, for examination, without traverse.

This is intended to be a complete response to the Restriction Requirement mailed September 23, 2004. If any issues remain, the Examiner is respectfully requested to telephone the undersigned attorney of record for immediate resolution.

Respectfully submitted,



Benjamin Aaron Adler, Ph.D, J.D.  
Registration No. 35,423  
Counsel for Applicant

Date: Oct 14, 2004  
ADLER & ASSOCIATES  
8011 Candle Lane  
Houston, TX 77071  
(713) 270-5391  
[badler1@houston.rr.com](mailto:badler1@houston.rr.com)